LAW SECRETARIAT.

Criminal Justice.

READ—

The Report on the Administration of Criminal Justice in the State for the year 1928-29, received from the Registrar, Chief Court, with his letter No. P. 38, dated 28th October 1929.

ORDER NO. P. 4309-18—CTS./95-29-3, DATED 15TH FEBRUARY 1930.

Recorded.

2. *Offences reported.*—The number of offences reported in the year under review was 19,619 or 1,226 more than in the previous year and there was likewise an increase in the number of cases returned as true, *viz.*, from 18,119 to 18,902 and in the number of persons brought to trial from 37,289 to 38,989. The cases against 29,701 persons or 76 per cent of the number brought to trial were disposed of, resulting in the conviction of 8,183 and the acquittal or discharge of 20,736 and the cases against 9,288 persons were pending at the end of the year. The percentages of conviction and discharge or acquittal were practically the same as in the previous year. It is satisfactory that the number of persons sentenced to short terms of imprisonment was smaller by 121 and that the number of persons dealt with under section 562, Cr.P.C., more by 80 than in the previous year.

3. *Bench Courts.*—The Bench Courts had 7,980 cases for disposal and disposed of 6,652 cases, or 83 per cent. It is disappointing that the Bench Courts in the Bangalore District failed to maintain the improvement they showed in the previous year in regard to the average duration of cases.

4. *Work of Special Magistrates.*—Out of 10,953 cases before them the stipendiary Magistrates disposed of 8,523 cases, or 77 per cent. The volume of work turned out by them was 5 per cent less than in the previous year and is capable of improvement.

5. *Average duration.*—The average duration of cases in the Courts of stipendiary Magistrates has risen gradually to 56·11 days from 50·3 days in 1927-28, 49·7 days in 1926-27 and 45·8 days in 1925-26 and calls for notice. The tendency in this direction is particularly marked in the Bangalore Division. The District Magistrates are requested to give their personal attention to the scrutiny of the calendars and monthly returns submitted to them by the subordinate Magistrates and check this tendency.

6. *Witnesses.*—The number of witnesses that appeared before the Magistrates was 57,540 as against 64,302, and 44,257 or 76·9 per cent of them were examined as against 68 per cent in 1927-28. No witness was detained for more than 3 days. The amount of Travelling Allowance and batta paid to witnesses was Rs. 1,726-5-2 as against Rs. 2,256-15-0 in the previous year.

7. *Itineration Scheme.*—The scheme of itineration of Special Magistrates which was introduced tentatively in certain localities in the first instance was brought into force from 1st June 1929 in all the Districts except Bangalore and will, it is hoped, materially add to the conveniences provided for the administration of Criminal Justice.

8. *Munsiff Magistrates.*—The Munsiff, Kolar Gold Fields, has long been exercising the powers of a Magistrate in respect of cases arising under the Mysore Mines Regulation and the Munsiff of Hole-Narsipur has exercised the full powers of a Magistrate of the second class for the Taluks within his jurisdiction since December 1927. It has been proposed to extend this system of combining Civil and Criminal Jurisdiction wherever practicable in order to equalise the work of judicial officers as far as possible and to this end, the Munsiff of Narasimharajapura was recently invested with the powers of a Magistrate of the second class within the local limits of his jurisdiction and the 1st Class Magistrate, Kolar, was empowered to

dispose of Civil appeals transferred to him by the District Judge of the Division. The question of further extending this system is engaging the attention of the Chief Court and proposals in this behalf are awaited.

9. *Sessions Work.*—Out of 99 Sessions Cases for disposal including 14 cases pending from the previous year, as against 120 in the previous year, 91 cases were disposed of and 8 cases involving 13 persons were pending at the end of the year. There was a rise in the average duration in the Bangalore Division from 20·5 to 52·43 days, while the general average for the year was 47·37 days. The number of witnesses examined was 1,252 as against 1,094 in the previous year and 237 witnesses were detained for over 5 days, the largest number being 111 in the Bangalore Division.

10. *Trial by Jury.*—Fifteen cases were tried by Jury as against 21 in the previous year and the Judge agreed wholly with the verdict of the jury in 11 cases and partially in one case. The remaining 3 cases were reported to the Chief Court under section 307, Criminal Procedure Code.

11. *Appellate Work.*—Out of the appeals of 1,197 persons for disposal during the year those of 623 persons were before Magistrates and 574 persons before Sessions Judges. The Sessions Judges disposed of the appeals of 456 persons and the Magistrates disposed of the appeals of 540 persons. With the Sessions Judges 69 appeals involving 118 persons, and with the Magistrates 50 appeals involving 83 persons, were pending at the end of the year. The average duration of appeals in Sessions Courts and Magistrates' Courts rose from 48·1 and 31 days in 1927-28 to 54·11 and 33·48 days, respectively, in the year under review, the increase in the former case being contributed chiefly by the Sessions Court, Shimoga Division. Efforts should be made to dispose of appeals more expeditiously.

12. *Chief Court Work.*—Out of 80 appeals and 457 revision petitions before the Chief Court for disposal as against 111 appeals and 405 revision petitions in the previous year, 59 appeals and 288 revision petitions were disposed of and 21 appeals and 169 revision petitions were pending at the end of the year as against 19 appeals and 130 revision petitions at the end of the previous year. There was a noticeable increase in the average duration of appeals from 77·27 days in 1927-28 to 142·35 days in the year under review. It is attributed to the generally heavy nature of the appeals, to the Sessions Judges being required to send typed copies of records, and to the records in murder cases being required to be printed.

13. *Inspection.*—The Chief Judge and the other Judges of the Chief Court inspected all the District Magistrates' Courts and 16 First Class Magistrates' Courts. The District Magistrates inspected all the Courts of stipendiary Magistrates in their Districts and also all the Bench Courts except a few in the Districts of Mysore, Kolar, Kadur and Shimoga.

P. MAHADEVAYYA,
Secretary to Government,
Law Department.

GENERAL SECRETARIAT.

Timber.

READ—

Government Order No. L. 2026-43—L. B. 111-28-40, dated 14th September 1929, permitting the District Boards to exempt at their discretion all bullock carts except those that carry timber, from payment of tolls at District Fund Toll-gates.

ORDER NO. L. 6016-33—L. B. 111-28-49, DATED 12TH FEBRUARY 1930.

Government are pleased to direct that the word Timber occurring in the Government Order read above be construed as including only logs or sawn timber but not bamboos, fuel and cane.

R. RANGA RAO,
General Secretary to Government.